



A Burlington
Environmental Inc.
Company

Carrie WA 2912 26
Margaret
- The owner
cert on EPA
part has to be
resolved

11/1/1989

CERTIFIED

November 1, 1989

Mr. Tim Nord
Supervisor
Hazardous Waste Permits
Washington Department of Ecology
Mail Stop PV-11
Olympia, WA 98504-8711

RECEIVED
NOV 2 1989
WASTE MANAGEMENT BRANCH
FILE COPY

RE: Pier 91 Dangerous Waste Facility Owner Certifications

Dear Tim:

In a letter dated October 27, 1989, the Port of Seattle indicated that they would sign the Part A, Owner Certification provided that Chempro send them written confirmation of the truth, accuracy and completeness of the information. Chempro responded to the Port of Seattle request in a letter dated October 31, 1989. Both of these letters are enclosed. The Port indicated that they had problems with the EPA Owner Certification, however.

Chemical Processors, Inc. has a signed Owner Certification based on the Washington requirements. This certification and the signed Part A certification will be forwarded to you as soon as we obtain the Port of Seattle signature on the Part A. We anticipate this will occur next week.

Please call if you have further questions.

Sincerely,

Susan B. Donahue
Environmental Programs Manager

Enclosures

cc: Carrie Sikorski, EPA ✓
Julie Sellick, Ecology

USEPA RCRA

3012918

CHEMICAL PROCESSORS, INC.

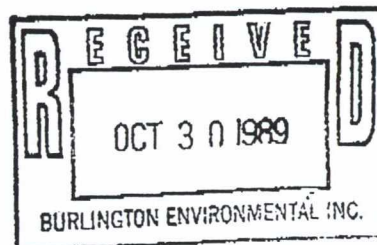
2203 Airport Way South . Suite 400 • Seattle, Washington 98134
(206) 223-0500 • FAX: 223-7791



Port of Seattle

October 27, 1989

Ms. Marlys Palumbo
General Counsel
Burlington Environmental, Inc.
201 Elliott Avenue West, Ste. 301
Seattle, WA 98199



Dear Marlys:

Thank you for the phone call. It was helpful in understanding Chempro's position.

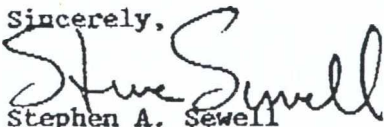
I am writing to inquire whether the information supplied in Chempro's RCRA permit application is true, accurate and complete. The Owner Certification requires such inquiry of "those individuals immediately responsible for obtaining the information." As Chempro is immediately responsible for obtaining the information, please send me written confirmation of the truth, accuracy and completeness of the information, and we will execute the paragraph "K. Owner Certification".

As we discussed, the other "Owner Certification" which you sent us is more problematic. That certification, which is unidentified, requires a statement, under penalty of fine and imprisonment, that the permit (I assume) was "prepared under my direction or supervision in accordance with a system designed ... etc". From past experience, we know the agencies require the signature of the chief executive of the Port. Given these facts, I do not believe we can sign such a certification, because the Port did not direct or supervise the preparation of the permit under the described system. Frankly, I don't know how owners and operators could truthfully sign such a statement unless they jointly prepared the application. Perhaps we can get some clarification from EPA. I will let you know when I get in touch with Tim Nord.

In the meantime, once we have received a response from you to the inquiry in the first paragraph of this letter, we will sign the paragraph K Owner Certification. We are also willing to sign the other certification if the language of the first sentence is deleted or modified.

We realize this puts Chempro in a difficult position, given the short time remaining, but we have expressed our problems with this language for many months. We are nevertheless willing to help explain this to EPA and will work with you to try and resolve the problem.

Sincerely,


Stephen A. Sewell
General Counsel

cc: Dave Aggerholm, Manager, Environmental Management

5849D/SAS/sn

P.O. Box 1209
Seattle, WA 98111 U.S.A.
(206) 728-3000
TELEX 783433
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A Burlington
Environmental Inc.
Company

October 31, 1989

Stephen Sewell
General Council
Port of Seattle
Box 1209
Seattle, WA 98111

Dear Steve:

Pursuant to your request dated October 27, 1989 and sent to Marlys Palumbo, Chemical Processors, Inc. is providing you with confirmation of the truth, accuracy and completeness of the information provided in Part A of the Pier 91 dangerous waste facility permit application.

I have personally examined and am familiar with the information submitted in the Part A of the Pier 91 Dangerous Waste Facility Permit Application and all attached documents and, based on my inquiry of individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete.

The Operator Certification in Section L of the Part A Form 3, further documents this certification.

Sincerely,

Dennis Stefani
Vice President, Regulatory Affairs

SBD:tkS

cc: W. E. Fisher
M. S. Palumbo
Dave Aggerholm, Port of Seattle

CHEMICAL PROCESSORS, INC.

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